

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

RAMON OROZCO,

Petitioner,

v.

UNITED STATES OF AMERICA, et al.,

Respondents.

Civ. No. 6:13-cv-00604-CL

OPINION AND ORDER

MCSHANE, Judge:

Petitioner, *pro se*, brings this petition seeking habeas corpus relief under 28 U.S.C. § 2241.¹ Petitioner seeks to quash an allegedly unlawful court “hold/detainer” order because it prejudiced the outcome of his criminal case. Pet. for Writ of Habeas Corpus 1–3, ECF No. 1. Judge Mark D. Clarke issued a Findings and Recommendation (F & R) on January 28, 2014, recommending that petitioner’s claims be dismissed for failure to prosecute. The matter is now before this Court. *See* 28 U.S.C. § 636(b)(1)(B); Fed. R. Civ. P. 72(b).

Because no objections to the F & R were timely filed, this Court reviews only the legal principles *de novo*. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc); *see also United States v. Bernhardt*, 840 F.2d 1441, 1445 (9th Cir. 1988). Upon review, this Court finds no error in Judge Clarke’s F & R, ECF No. 23. Petitioner was granted four time

¹ Petitioner filed a pleading captioned “Formal Complaint.” This Court, in agreement with Judge Clarke, construes petitioner’s filing as a claim for habeas corpus relief under 28 U.S.C. § 2241.

extensions to file an amended petition in compliance with Local Rule 81-1(a).² To date, petitioner has not filed an amended petition.

CONCLUSION

This Court ADOPTS Judge Clarke's F & R, ECF No. 23, in full. Petitioner Orozco's petition is DISMISSED without prejudice.

IT IS SO ORDERED.

DATED this 22nd day of May, 2014.

**Michael J. McShane
United States District Judge**

² On April 12, 2013, petitioner was allowed 30 days to file an amended petition. On May 15, 2013, petitioner was granted an extension until June 17, 2013. On June 24, 2013, petitioner was granted an extension until July 24, 2013. On July 31, 2013, petitioner was granted an extension until October 1, 2013.